IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT:

THE HON'BLE SRI JUSTICE K.C. BHANU

–

WRIT PETITION No.2119 of 2001

Between:

Smt. D.M.Varginamma, W/o. P. Penchalaiah,
aged 39 years, C/o. Hussainaiah, D.No.6/39,

Proddatur Road, Mydukur Post and Mandal,

Kadapa District.

..... PETITIONER

AND

1. The Andhra Pradesh State Road Transport Corporation,

Rep. by its Managing Director,
Musheerabad, Hyderabad.

2. The Andhra Pradesh State Road Transport Corporation,

Rep. by its Regional Manager,
Kadapa Region, Kadapa District.

3. The Andhra Pradesh State Road Transport Corporation,

Rep. by its Depot Manager,
Badvel Depot, Proddatur, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction or Writ one in the nature of Writ of Mandamus declaring the action of the 2nd and 3rd Respondents by their proceedings No. St/20B(1)/2000-RM'C', dated 26.02.2000, and proceedings No.DM/BDVL No.02/95(43)/99-BDVL, dated 20.12.1999, is wholly illegal, arbitrary, unjust and contrary to law and also violative of principles of natural justice and also violative of Articles 14, 16 & 21 of the Constitution of India and disproportionate punishment and consequently direct the respondents to reinstate the petitioner into her service as conductor with continuity of service with full back wages and all other attendant benefits.

Counsel for the Petitioner: Ms. B. MALLESWARI

Counsel for the Respondents: Mr. P.VINAYAKA SWAMY
(S.C. FOR APSRTC)

The Court made the following :

ORDER:

An affidavit has been filed by the petitioner stating that permission may be given to withdraw this writ petition with liberty to raise an industrial dispute under Section 2A(2) of the Industrial Disputes Act, 1947 before the Labour Court. Permission is accordingly granted.

Accordingly, the Writ Petition is dismissed as withdrawn with liberty to the petitioner to raise Industrial Dispute before the competent authority. No order as to costs.

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K.C. BHANU, J

Date:01-07-2005.

PV

To

1. The Managing Director,

Andhra Pradesh State Road Transport Corporation,

Musheerabad, Hyderabad.

2. The Regional Manager

Andhra Pradesh State Road Transport Corporation,

Kadapa Region, Cuddapah District.

3. The Depot Manager

Andhra Pradesh State Road Transport Corporation,

Badvel Depot, Proddatur, Kadapa District.

4) Two C.Cs. to S.C. for A.P.S.R.T.C., High Court of A.P.,

Hyderabad (O.U.T.)

5) Two C.D. copies.